

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gordon H. Sato Conf. No.: Unknown
Application No.: 10/536,506 Group Art Unit: Unknown
FILED: May 25, 2005 Examiner: Not Yet Assigned
FOR: *MICROBIAL FEEDSTOCK FOR FILTER FEEDING AQUATIC ORGANISMS*

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By:

Seema M. Shah

Seema M. Shah

8/31/05

Date

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☒ **Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.**

*** Waiver**

The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. *See* 37 CFR 1.491(b).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. ☐ The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
- or
- b. ☒ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

☐ please charge Deposit Account No. 50-0369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

☒ No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM ADJUSTMENT)


Applies to original applications (other than design) filed on or after May 29, 2000

- a. ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- b. ☒ Enclosed herewith is form PTO-1449.
- c. ☒ Copies of cited references are enclosed.
- d. ☐ Copies of cited references are enclosed except those entered in prior application filed on _____ to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- e. ☐ The listed references were cited in the enclosed International Search. Report in a counterpart foreign application.
- f. ☐ The “concise explanation” requirement (non-English references) for reference under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ The enclosed English language abstract.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 50-0369.

Date: 8-31-05

Respectfully submitted,



John C. Serio, Reg. No.: 39,023
Attorney(s) for Applicant
Customer No. 21710
Brown Rudnick Berlack Israels LLP
One Financial Center, Box IP
Boston, MA 02111
Tel: (617) 856-8238
Fax: (617) 856-8201

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTY DOCKET NO. 21232/1		SERIAL NO. 10/536,506	
				APPLICANT(S): Gordon H. Sato			
				FILING DATE: May 25, 2005		ART UNIT: Unknown	
UNITED STATES PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	INVENTOR	CLASS	SUB CLASS	FILE DATE IF APPROPRIATE
		3,576,643	04/27/1971	Ayukawa et al.	99	2	
		3,604,395	09/14/1971	Huslin	119	2	
		3,669,074	06/13/1972	Stasio	119	2	
		3,673,986	07/04/1972	Braunhut	119	2	
		3,738,316	06/12/1973	Stasio	119	2	
		3,830,937	08/20/1974	Shigeno et al.	426	2	
		3,939,279	02/17/1976	Kawano et al.	426	2	
		4,080,930	03/28/1978	Pruder et al.	119	4	
		4,368,691	01/18/1983	Brune	119	2	
		4,449,480	05/22/1984	Ison et al.	119	4	
		4,593,647	06/10/1986	Sorgeloos et al.	119	2	
		4,640,227	02/03/1987	Blancheton et al.	119	2	
		4,906,479	03/06/1990	Kitagawa et al.	426	1	
		4,960,795	10/02/1990	Salte et al.	514	560	
		5,377,624	01/03/1995	Craig et al.	119	234	
		5,866,025	02/02/1999	Kataoka et al.	249	114.1	
		5,945,102	08/31/1999	de Faire et al.	424	94.63	
		6,223,689	05/01/2001	Nelson	119	234	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION Y/N
		WO 94/23569	10/27/1994	PCT	A01K	61/00	Y
		EP 0 104 702	04/04/1984	EP	A01K	61/00	Y
Examiner:					Date:		